

Arizona Criminal Justice Commission



A.R.S. 41-1750 Analysis

Our mission is to sustain and enhance the coordination, cohesiveness, productivity and effectiveness of the criminal justice system in Arizona

Background

The following information is part of an ongoing study on the arrest and citation information submission procedures as described in A.R.S. 41-1750. The data in this brief is preliminary and warrants deeper investigation into potential gaps in the reporting of arrests and citations to the state repository. **It is important to emphasize that the research findings reported in this brief are based on an analysis of offenses for which an alleged offender was**

arrested, and not the alleged offenders themselves. Next steps in this research include investigating the degree to which individual offenders are being fingerprinted and whether a record of their arrests is being submitted and recorded in a timely, accurate, and complete manner.

Overview of A.R.S. 41-1750

Fingerprint records must be taken at the time of arrest or by court mandate for all felony, domestic violence, sexual, and DUI offenses. Every criminal justice agency is required to submit these fingerprint records to the Arizona Computerized Criminal History (ACCH) within ten days.

Questions Posed

Are all A.R.S. 41-1750 offenses being processed into the ACCH? What differences exist across agencies and across offense types?

Methodology

The Statistical Analysis Center of ACJC used a convenience sample of six agencies to examine these questions. From the six participating agencies, offense information was obtained on approximately 2,112 offenders who were arrested or cited for 6,736 A.R.S. 41-1750 offenses. Each agency submitted A.R.S. 41-1750 offenses between June 1, 2005 and December 31, 2005. An attempt was then made to match the agency arrest and citation information to the information in the ACCH. The results of the analyses are summarized in the following tables.

	Total Number of Offenses Resulting in Arrest/Citation*	Percent Not Matched in the ACCH
<u>Sexual Offenses</u>	318	40%
Indecent Exposure	55	49%
Public Sexual Indecency	39	62%
Sexual Abuse	37	41%
Sexual Conduct with a Minor	103	25%
Sexual Assault	22	41%
Molestation of a Child	62	42%
<u>Domestic Violence Offenses</u>	36	56%
<u>DUI Offenses</u>	6,382	56%
Driving Under the Influence	4,706	58%
Extreme DUI	1,148	58%
Aggravated DUI	520	37%
Ignition Interlock Violation	8	62%
<u>Total</u>	6,736	55%

* These numbers reflect the total number of offenses, not offenders. Some offenders have committed multiple offenses.

	Total Number of Offenses Resulting in Arrest/ Citation*	Percent Not Matched in the ACCH
<i>Agency A</i>	448	15%
<i>Agency B</i>	616	60%
<i>Agency C</i>	1,826	47%
<i>Agency D</i>	135	65%
<i>Agency E</i>	160	46%
<i>Agency F</i>	3,551	64%
Total	6,736	55%

* These numbers reflect the total number of offenses, not offenders. Some offenders have multiple offenses.

Conclusion

The findings suggest that a significant number of offenses for which arrests and citations were made by the agencies cannot be easily matched to information in the ACCH. This results in missing information that is important for comprehensive background checks and criminal justice agency decision making.

Statistical Analysis Center staff will continue to gather and analyze data that may provide additional insights into the arrest reporting process as outlined in A.R.S. 41-1750, including whether an arrest record of the offenders for the offenses described above appear in the ACCH.

This research brief was completed on February 20, 2007.